IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDIANRY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1416 OF 2004
IN
SUIT NO.3886 OF 1997

Smt.Tabassum Wd/o.Hasan Ali @
Ahasanali Usman Ali Siddique ..Plaintiff

Vs.

Smt.Bushra Khatoon Usman Siddiqui & Anr..Defendants

Mr.N.S.Kamble,Adv. i/b. A.M.Sarogi for Plaintiffs

Mr.S.M.Kazi, Adv. for Defendant No.1

Mr.Y.R.Mishra, Adv. for Defendant No.2.

CORAM: D.G. DESHPANDE,J.
DATED: 23RD SEPTEMBER, 2004

P.C.

. This Motion is taken out by the Plaintiff for setting aside the order of dismissal of her earlier Motion dated 24th July, 2004. The Motion is taken out in April, 2004. There is delay of four years. However, the Plaintiff who is a lady was in custody under MOCCA for three years. She has stated in the Affidavit that there are no male members in the family and therefore, there was a delay. The suit is for the administration of the Estate.

. Looking to the circumstances of the detention and the fact that Plaintiff is a lady this Motion is allowed subject to cost of Rs.1500/- each for Defendants Nos.1 and 2 and Plaintiff shall pay the cost within three weeks from today. Cost is

conditional precedent.

. On payment of cost the earlier Motion stands restored to the file. Motion is disposed of.

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